

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**March 27, 1998**

**DIVISION ONE**

B109108      Schramm et al.                      (Not for Publication)  
                 v.  
                 Stewart et al.

The judgment is reversed. The trial court is directed to vacate the default and default judgment and to reinstate the pleadings which were stricken. Appellants are to recover their costs.

Dunn, J. (Assigned)

We concur:    Spencer, P.J.  
                 Masterson, J.

B114430      People                                      (Not for Publication)  
                 v.  
                 Armando M.

The order of wardship is affirmed.

Masterson, J.

We concur:    Ortega, Acting P.J.  
                 Vogel (Miriam A.), J.

DIVISION TWO

Court convened at 9:15 A.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., and G. Villanueva, Deputy Clerk.

Each of the following:

B117735 People v. Anderson  
B112169 People v. Bush  
B113818 people v. Dolly R.  
B108253 People v. Mayo  
B107865 People v. Dueitt  
B112059 People v. Diaz  
B112948 People v. Johnson  
B110479 People v. Dennis  
B108247 People v. Aguilar  
B100981 People v. Muhammad  
B108405 People v. Manzo  
B110694 People v. Taufi  
B112322 People v. Scott  
B116610 Matter of D'Andrea M.  
B114249 County of L.A. v. Warmoth  
B106900 People v. Parks  
B112786 People v. Breaux  
B111685 People v. Nelson  
B114839 People v. Palmer  
B111351 People v. Carter  
B094175 Markowitz v. Coley  
B112250 People v. Holland  
B108110 Valar v. Olympia Foods

Argument waived, cause submitted.

B106922     People  
              v.  
              Wood

Merits:

Argued by Jerald Newton for appellant and by Rama Maline, Deputy Attorney General for respondent. Cause submitted.

DIVISION TWO (Continued)

B111309     People  
              v.  
              Juengain

Merits:  
Argued by Allen Weinberg for appellant and by Karen O'Keefe, Deputy Attorney General for respondent. Cause submitted.

B111579     People  
              v.  
              Gilbert

Merits:  
Argued by Julie Hernandez for appellant and by Thomas Hsieh, Deputy Attorney General for respondent. Cause submitted.

B102620     People  
              v.  
              Koonz

Merits:  
Argued by Estie Stoll for appellant and by Mary Sanchez, Deputy Attorney General for respondent. Cause submitted.

B097384     Kurtz  
              v.  
              Tri-Star Electronics

Merits:  
Argued by Dennis Nelson for appellant and by Michael Maher for respondent. Cause submitted.

DIVISION TWO (Continued)

B115921     Venus Laboratories  
              v.  
              Board of Equalization

Merits:

Argued by Joseph D'Heron for appellant and by Joseph Mudd for respondent. Cause submitted.

B109427     Janken  
              v.  
              GM Hughes Electronics

Merits:

Argued by Robert Walker for appellant and by Richard Love for respondent. Cause submitted.

B103287     Sokol  
              v.  
              FSR Brokerage Inc.

Merits:

Argued by Terry Kaplan for appellant and by J. Michael Crowe for respondent. Cause submitted.

B101284     Misetich  
              v.  
              First Care Med Group

Merits:

Argued by Donald Karpel for appellant and by Curtis Cole for respondent. Cause submitted.

DIVISION TWO (Continued)

B109807      Wohl  
                 v.  
                 Teledyne Systems Co.

Merits:

Argued by Steven Wohl, in propria persona and by Robert Ridenour for respondent. Cause submitted.

Mr. Justice Nott leaves the bench.

B110345      Frakenstein  
                 v.  
                 City of Santa Monica  
                 (County of L.A., r.p.i.)

Merits:

Argued by Mark Eggerman for appellant and by May Denitz for respondent and by Catherine Garcia for respondents. Cause submitted.

Court adjourned.

DIVISION THREE

B111074      James G. Osborne                      (Not for Publication)  
                 v.  
                 Georgine Grace Osborne

The portions of the order reducing monthly child support to zero and eliminating paragraph six of the judgment relating to life insurance are reversed, and the matter is remanded to the superior court for further proceedings in accordance with the formula mandated by section 4050 et seq., and for the trial court to establish a payment schedule regarding unreimbursed medical and dental expenses. That portion of the order reducing spousal support to zero but retaining jurisdiction is affirmed. Parties to bear their own costs on appeal.

Kitching, J.

We concur:   Klein, P.J.  
                 Croskey, J.

March 27, 1998-Continued

DIVISION THREE (Continued)

B105487      In re Ashley P.                      (Not for Publication)  
                 Anne P.  
                 v.  
                 Los Angeles County Dept. of Children & Family Services

The orders are affirmed.

Aldrich, J.

We concur:   Klein, P.J.  
                 Kitching, J.

B106721      Joel B. Friedland et al.                      (Certified for Publication)  
                 v.  
                 City of Long Beach et al.

The judgment is affirmed. Costs are awarded to respondents.

Kitching, J.

We concur:   Klein, P.J.  
                 Croskey, J.

DIVISION FOUR

B108128      Mercz    (Not for Publication)  
                 v.  
                 Mercer

The order of the trial court is affirmed.

Vogel (C.S.), P.J.

We concur:   Epstein, J.  
                 Hastings, J.

March 27, 1998-Continued

## DIVISION FOUR (Continued)

B116000 People (Not for Publication)

V.

# Paiagua

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.

Epstein, J.

B110964      People      (Not for Publication)

V.

Avalos, Jr.

The Court:

For the foregoing reasons, we affirm the judgment.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

B116706 People (Not for Publication)

V.

Smith

The order denying appellant's motion is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.

Hastings, J.

March 27, 1998-Continued

## DIVISION FOUR (Continued)

B114914      People                          (Not for Publication)  
v.  
Ford

The Court:

For the foregoing reasons, the appeal is dismissed.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

B104129 People (Not for Publication)  
v.  
Smith, Jr.

The conviction is affirmed. The judgment is vacated and the matter is remanded to the trial court for resentencing.

Hastings, J.

We concur: Vogel (C.S.), P.J.  
Epstein, J.

B116604      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Steve C.

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.  
Czuleger, J. (Assigned)

March 27, 1998-Continued

DIVISION FIVE

[illegible]

The judgment is affirmed.

Godoy Perez, J.

We concur:   Turner, P.J.  
                     Grignon, J.

B105477 People (Not for Publication)  
v.  
Timothy Fonseca

The judgment is affirmed.

Godoy Perez, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

B112982      Barry Young et al.      (Not for Publication)  
v.  
Peter Choate et al.

The order of dismissal is reversed. The trial court is directed to enter a new and different order overruling the demurrer. Appellants Barry and Marilyn Young are awarded their costs on appeal against respondents Peter Choate and Peter Choate & Associates.

Grignon, J.

We concur: Turner, P.J.  
Godoy Perez, J.

March 27, 1998-Continued

DIVISION FIVE (Continued)

B109815      John C. Taylor      (Not for Publication)

v.

Ampco System Parking, Inc.

The judgment is affirmed.

Armstrong, J.

We concur:    Turner, P.J.

Godoy Perez, J.

B116947      Darlene T.      (Not for Publication)

v.

Los Angeles Superior Court

Department of Children and Family Services

The judgment is affirmed.

Armstrong, J.

We concur:    Turner, P.J.

Godoy Perez, J.